

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Sheldon George Davis,)
)
Plaintiff,)
)
v.)
)
North Dakota Department of Corrections)
and Rehabilitation, Director Colby Braun,)
)
Defendants.) Case No. 1:24-cv-122

On January 2, 2025, the court issued an order setting a scheduling conference for February 20, 2025, at 9:00 AM by telephone and directing the parties to submit a proposed scheduling/discovery plan prior to the conference.

On February 15, 2025, Defendants filed a Motion to Dismiss for Lack of Jurisdiction and Motion to Stay Submission of the Proposed Scheduling Plan. (Doc. Nos. 26 and 29). Defendant asserts that Plaintiff has been provided the relief he was seeking, that this matter is moot, and that it would be a more efficient use of everyone's resources if the court stayed its directive to submit a discovery plan until after everyone has had an opportunity to discuss the posture of this case at the upcoming conference.

The court finds it prudent to first address the posture of this case with parties before requiring them to submit a proposed scheduling/discovery plan. Accordingly, the court **GRANTS** Defendant's Motion to Stay Submission of the Proposed Scheduling Plan (Doc. No. 29). The parties need not submit a proposed plan unless and until otherwise directed by the court. The scheduling conference shall proceed as scheduled on February 20, 2025. The parties shall participate in the conference virtually. Instructions on how to connect virtually have been provided to the parties by separate email.

IT IS SO ORDERED.

Dated this 19th day of February, 2025.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court